

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Melody Williams,

Case No. 3:15 CV 2402

Plaintiff

v.

ORDER

State of Ohio, et al.,

Defendants

On November 23, 2015, plaintiff *pro se* Melody Williams, an inmate at the Dayton Correctional Institution, filed this petition for mandamus against the State of Ohio, the Lucas County of Common Pleas, and Lucas County Common Pleas Judge Ruth Ann Franks.

The petition seeks an order requiring defendants to provide copies to plaintiff of “all transcripts and records from the criminal trial proceedings from the time of its convening of the court until the termination of the trial, and sentencing.” Plaintiff seeks these records to assist her in pursuing relief in a habeas corpus case pending in this court. *See Williams v. Lisath*, N.D. Ohio Case No. 3:14 CV 2472 (Helmick, J.).

A district court is expressly required to dismiss any civil action filed by a prisoner seeking relief from a governmental officer or entity, as soon as possible after docketing, if the court concludes that the complaint fails to state a claim upon which relief may be granted, or if the plaintiff seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. §1915A; *see Siller v. Dean*, No. 99-5323, 2000 WL 145167 , *2 (6th Cir.).

This court may not issue a writ of mandamus to direct state courts or their judicial officers in the performance of their duties. *Haggard v. State of Tennessee*, 421 F.2d 1384, 1386 (6th Cir. 1970). Further, plaintiff has already moved for an order in her federal habeas case to obtain the

documents she seeks in the instant action. *See* N.D. Ohio Case No. 3:14 CV 2472, Docs. 3 and 4. These motions are pending.

Based on the foregoing, this action is dismissed under § 1915A. I certify, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and appeal should not be allowed without prepayment of the requisite filing fee.

So ordered.

/s/ James G. Carr
Sr. U.S. District Judge